

*TO Riley*

PTO/SB/30 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

|                        |                        |
|------------------------|------------------------|
| Application Number     | 09/777,725-Conf. #6084 |
| Filing Date            | February 5, 2001       |
| First Named Inventor   | Timothy M. Swager      |
| Art Unit               | 1637                   |
| Examiner Name          | J. Riley               |
| Attorney Docket Number | M0925.70086US00        |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ii. ☒ Other Amendment after Allowance under 37 C.F.R. 1.312 filed November 16, 2006
  - b. ☐ Enclosed
    - i. ☐ Amendment/Reply
    - iii. ☐ Information Disclosure Statement (IDS)
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
  - a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - a. ☐ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 23/2825. I have enclosed a duplicate copy of this sheet.
    - i. ☒ RCE fee required under 37 CFR 1.17(e)
    - ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
    - iii. ☐ Other \_\_\_\_\_
  - b. ☒ Check in the amount of \$ 790.00 enclosed
  - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                        |                  |                   |
|-------------------|------------------------|------------------|-------------------|
| Signature         |                        | Date             | February 16, 2007 |
| Name (Print/Type) | Timothy J. Oyer, Ph.D. | Registration No. | 36,628            |

02/22/2007 HLE333 00000022 09777725

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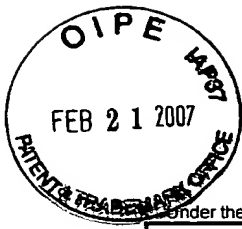
PTO/SB/17 (07-06)  
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|   |  |                          |                        |
|---|--|--------------------------|------------------------|
| <b>Effective on 12/08/2004.</b><br><b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b><br><b>FEE TRANSMITTAL</b><br><b>For FY 2006</b> |  | <b>Complete if Known</b> |                        |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  |  | Application Number       | 09/777,725-Conf. #6084 |
|   |  | Filing Date              | February 5, 2001       |
|   |  | First Named Inventor     | Timothy M. Swager      |
|   |  | Examiner Name            | J. Riley               |
|   |  | Art Unit                 | 1637                   |
| <b>TOTAL AMOUNT OF PAYMENT</b>  |  | Attorney Docket No.      | M0925.70086US00        |
| (\$)  |  | 790.00                   |                        |

|  |   |
|--|---|
| <b>METHOD OF PAYMENT (check all that apply)</b>  |   |
| <input checked="" type="checkbox"/> Check  | <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____ |
| <input type="checkbox"/> Deposit Account   | Deposit Account Number: <u>23/2825</u> Deposit Account Name: <u>Wolf, Greenfield &amp; Sacks, P.C.</u>  |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)                 |   |
| <input type="checkbox"/> Charge fee(s) indicated below   | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee   |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments   |

|   |                    |                     |   |                      |                                      |                      |                       |
|---|--------------------|---------------------|---|----------------------|--------------------------------------|----------------------|-----------------------|
| <b>FEE CALCULATION</b>  |                    |                     |   |                      |                                      |                      |                       |
| <b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>  |                    |                     |   |                      |                                      |                      |                       |
|   | <b>FILING FEES</b> |                     | <b>SEARCH FEES</b>                                      |                      | <b>EXAMINATION FEES</b>              |                      |                       |
|   |                    | <b>Small Entity</b> |   | <b>Small Entity</b>  |                                      | <b>Small Entity</b>  |                       |
| <b>Application Type</b>   | <b>Fee (\$)</b>    | <b>Fee (\$)</b>     | <b>Fee (\$)</b>   | <b>Fee (\$)</b>      | <b>Fee (\$)</b>                      | <b>Fee (\$)</b>      | <b>Fees Paid (\$)</b> |
| Utility   | 300                | 150                 | 500   | 250                  | 200                                  | 100                  |                       |
| Design  | 200                | 100                 | 100   | 50                   | 130                                  | 65                   |                       |
| Plant   | 200                | 100                 | 300   | 150                  | 160                                  | 80                   |                       |
| Reissue   | 300                | 150                 | 500   | 250                  | 600                                  | 300                  |                       |
| Provisional   | 200                | 100                 | 0   | 0                    | 0                                    | 0                    |                       |
| <b>2. EXCESS CLAIM FEES</b>   |                    |                     |   |                      |                                      |                      |                       |
|   |                    |                     |   |                      |                                      | <b>Small Entity</b>  |                       |
| <b>Fee Description</b>  |                    |                     |   |                      |                                      | <b>Fee (\$)</b>      | <b>Fee (\$)</b>       |
| Each claim over 20 (including Reissues)   |                    |                     |   |                      |                                      | 50                   | 25                    |
| Each independent claim over 3 (including Reissues)  |                    |                     |   |                      |                                      | 200                  | 100                   |
| Multiple dependent claims   |                    |                     |   |                      |                                      | 360                  | 180                   |
| <b>Total Claims</b>   |                    | <b>Extra Claims</b> | <b>Fee (\$)</b>   | <b>Fee Paid (\$)</b> | <b>Multiple Dependent Claims</b>     |                      |                       |
| _____ - 20 = _____  |                    | x _____             | = _____   |                      | <b>Fee (\$)</b> <b>Fee Paid (\$)</b> |                      |                       |
| HP = highest number of total claims paid for, if greater than 20.   |                    |                     |   |                      |                                      |                      |                       |
| <b>Indep. Claims</b>  |                    | <b>Extra Claims</b> | <b>Fee (\$)</b>   | <b>Fee Paid (\$)</b> |                                      |                      |                       |
| _____ - 3 = _____   |                    | x _____             | = _____   |                      |                                      |                      |                       |
| HP = highest number of independent claims paid for, if greater than 3.  |                    |                     |   |                      |                                      |                      |                       |
| <b>3. APPLICATION SIZE FEE</b>  |                    |                     |   |                      |                                      |                      |                       |
| If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). |                    |                     |   |                      |                                      |                      |                       |
| <b>Total Sheets</b>   |                    | <b>Extra Sheets</b> | <b>Number of each additional 50 or fraction thereof</b> |                      | <b>Fee (\$)</b>                      | <b>Fee Paid (\$)</b> |                       |
| _____ - 100 = _____   |                    | /50                 | _____ (round up to a whole number) x _____              |                      | = _____                              |                      |                       |
| <b>4. OTHER FEE(S)</b>  |                    |                     |   |                      |                                      |                      |                       |
| Non-English Specification, \$130 fee (no small entity discount)   |                    |                     |   |                      |                                      |                      |                       |
| Other (e.g., late filing surcharge): 1801 Request for continued examination (RCE) (see 37 ...   |                    |                     |   |                      |                                      | 790.00               |                       |

|                     |                        |                                   |                   |
|---------------------|------------------------|-----------------------------------|-------------------|
| <b>SUBMITTED BY</b> |                        |                                   |                   |
| Signature           |                        | Registration No. (Attorney/Agent) | 36,628            |
| Name (Print/Type)   | Timothy J. Oyer, Ph.D. | Telephone                         | (617) 646-8000    |
|                     |                        | Date                              | February 16, 2007 |



PTO/SB/92 (09-06)

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Application No.: 09/777,725

Attorney Docket No.: M0925.70086US00

## Certificate of Mailing under 37 CFR 1.8

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on February 16, 2007  
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Judy Daley

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Fee Transmittal

Request for Continued Examination Transmittal

Check in the amount of \$790.00